

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A METHOD OF ISOLATING STEM CELLS**

the specification of which (check applicable box(es)):

☐ is attached hereto  
☒ was filed on \_\_\_\_\_ as U.S. Application Serial No. 09/701,413 (Atty. Dkt. No. 1579-523)  
☒ was filed as PCT International application No. PCT/US99/28769 on 07 December 1999  
 and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number  
PCT/US99/28769

Country  
PCT

Day/Month/Year Filed  
07 December 1999

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number  
60/111,195

Date/Month/Year Filed  
07 December 1998

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

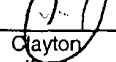
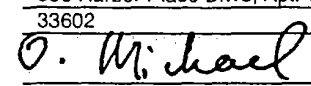
Prior U.S./PCT Application(s):

Application Serial No.  
PCT/US99/28769

Day/Month/Year Filed  
07 December 1999

Status: patented  
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby ask that all communications in this matter be directed to: **NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000.**

1.	Inventor's Signature: 	Date: <u>01/04/01</u>
	Inventor: Clayton (first) A. MI Smith (last) U.S.A. (citizenship)	
	Residence: (city) Tampa (state/country) Florida	
	Post Office Address: 500 Harbor Place Drive, Apt. 1408, Tampa, Florida	
	(Zip Code) 33602	
2.	Inventor's Signature: 	Date: <u>1/03/01</u>
	Inventor: Michael (first) MI Colvin (last) U.S.A. (citizenship)	
	Residence: (city) Chapel Hill (state/country) North Carolina	
	Post Office Address: 208 Arcadia Lane, Chapel Hill, North Carolina	
	(Zip Code) 27514	

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

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Prior U.S./PCT Application(s):

Application Serial No.	Day/Month/Year Filed
PCT/US99/28769	07 December 1999

Status: patented  
pending, abandoned

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3. Inventor's Signature: Robert W. Storms Date: 5 Jan 01  
 Inventor: Robert (first) MI Storms (last) U.S.A. (citizenship)  
 Residence: (city) Durham (state/country) North Carolina  
 Post Office Address: 30 Dansley Circle, Durham, North Carolina  
 (Zip Code) 27713-2705

4. Inventor's Signature: Susan M. Ludeman Date: 2/7/01  
 Inventor: Susan (first) MI Ludeman (last) U.S.A. (citizenship)  
 Residence: (city) Durham (state/country) North Carolina  
 Post Office Address: 7313 208 Calibre Park Drive, Durham, North Carolina  
 (Zip Code) 27707

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

In re: Clayton A. Smith, et al.

Group Art Unit: 1651

Appl. No.: 09/701,413

Examiner Name: Afremova, V.

Filed: 2/20/01

For: A METHOD OF ISOLATING STEM CELLS

Commissioner for Patents  
Washington, DC 20231

**REVOCATION OF POWER OF ATTORNEY  
AND NEW POWER OF ATTORNEY BY ASSIGNEE**

Sir:

Assignee hereby revokes all powers of attorney previously granted with respect to the above-identified patent application, and appoints the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and directs that all correspondence should be addressed to that Customer Number:

**Customer Number 00826**

with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Please direct telephone calls to the attention of:

W. Murray Spruill  
Registration No. 32,943  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

Assignee hereby elects under 37 C.F.R. § 3.71 to prosecute this patent application and certifies that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office on February 20, 2001 at Reel 011604, Frame 0599, or for which a copy thereof is attached.

OR

In re: Clayton A. Smith, et al.

Appl. No.: 09/701,413

Filed: 2/20/01

Page 2

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

**DUKE UNIVERSITY**

By: \_\_\_\_\_

Robert L. Taber

(Print or type name of person signing)

Title: Vice Chancellor of Science & Technology Development

Date: August 30, 2001

**CUSTOMER NO. 00826**

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Raleigh Office (919) 862-2200

Fax Raleigh Office (919) 862-2260

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. \_\_\_\_\_ on the date shown below.

(Type or print name of person signing certification.)

Signature \_\_\_\_\_

Date \_\_\_\_\_

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on 9/7/01.

Pamela Lockley  
Pamela Lockley